Casera:72⊯	\$\$\dom\@0122EARBANV@@@@ddA9ent Φ	08/01/2908 1/Rage 1.0f2 1.05/1/1/1
- Co Caso W	DUI	FILED SERVED ON SERVED ON COUNSEL/PARTIES OF RECORD
1		AUG - 1 2008
2	IN THE UNITED STATES DIS FOR THE DISTRICT OF	NEVADA  CLERK US DISTRICT COURT  DISTRICT OF NEVADA  DEPUTY
3	UNITED STATES OF AMERICA,	DISTRICTOR NEVADA  DEPUTY
4	Plaintiff,	
5	WALKER RIVER PAIUTE TRIBE,	IN EQUITY NO. C-125
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B
7	vs.	<b>,</b>
8	WALKER RIVER IRRIGATION DISTRICT,	<b>,</b>
9	a corporation, et al.,  NOTICE OF APPEARANCE AND INTI	FNT TO PARTICIPATE
10	NOTICE OF APPEARANCE AND INTE	
11	<ol> <li>I hereby enter my appearance in this sub</li> </ol>	-proceeding in this case.
12	I am filing this document with the District directed on the Notice In Lieu of Summons:	et Court at the following address and as
13	Chief Deputy Clerk	
14	United States District Court for the District of Nevada	
15   16	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
17	3. I (or the entity on whose behalf I am actir	ng) will retain all defenses or objections
18	to the lawsuit or to the jurisdiction or venue of the court	t except for objections based on a defect
19	in the Notice in Lieu of Summons or in the service of	
20	4. If I (or the entity on whose behalf I as	
21	represent me in these proceedings, I identify that attorn	
22	address, telephone number, facsimile number, and e-n	nail address:
23		
24	Attorney:	
25		
26	Address:	
27		
28		
	NOTICE OF APPEARANCE AND INTENT TO PARTIC	CIPATE (service), page 1 of 2

1	Phone Number:
2	Fax Number:
3	E-mail Address:
4	
5	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
6	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
7	hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by
8	the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
9	
10	
11	
12	
13	(Signature)
14	11/100
15	(Printed or typed Name)
16	HERB E OTTO
17	7276 L 0110
18	(Entity, if any, on whose
19	behalf you are appearing)
20	
21	(Address)
22	935/1wy 208 YERINGTON
23	(Telephone number)
24	775-4631254
25	
26	
27	
1	

Case 3.73	3#3-8092 <del>27-FCC-P-WGC°CUCUM2</del> 87t 4F#98	08/9 <u>1/29</u> 98/08 1950 8 of 114
		FILED — RECEIVED —— SERVED ON
1		COUNSEL/PARTIES OF RECORD
2		STRICT COURAUG - 1 2008
3	FOR THE DISTRICT OF	NEVADA
	UNITED STATES OF AMERICA,	CLERK US DISTRICT COURT DISTRICT OF NEVADA DEBUTY
4	Plaintiff,	DEPUTY
5	WALKER RIVER PAIUTE TRIBE,	IN EQUITY NO. C-125
6	Plaintiff-Intervenor,	) SUBFILE NO. C-125-B
7	vs.	) )
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	) ) )
10	NOTICE OF APPEARANCE AND INTE	ENT TO PARTICIPATE
11	1 Thanks and a sure and a state of	<b>1</b> 2
12	1. I hereby enter my appearance in this sub-	•
13	2. I am filing this document with the District directed on the Notice In Lieu of Summons:	t Court at the following address and as
14	Chief Deputy Clerk United States District Court for the	
15	District of Nevada	
16	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
17	3. I (or the entity on whose behalf I am acting	y) will retain all defenses or objections
18	to the lawsuit or to the jurisdiction or venue of the court e	except for objections based on a defect
19	in the Notice in Lieu of Summons or in the service of th	e Notice in Lieu of Summons.
20	4. If I (or the entity on whose behalf I am	acting) have retained an attorney to
21	represent me in these proceedings, I identify that attorney	y below, along with his or her mailing
22	address, telephone number, facsimile number, and e-ma	il address:
23		
24	Attorney:	
25		
26	Address:	
27		
28		
	NOTICE OF APPEARANCE AND INTENT TO PARTICIP	ATE (service), page 1 of 2

1	Phone Number:
2	Fax Number:
3	E-mail Address:
4	
5 6	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.  "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall
8	register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
10	
11	1
12	il a a aff
13	Woodie P. Oths (Signature)
14	(D.B)
15	WOODIE P. OHO
16	(Printed or typed Name)
17	
18	
19	(Entity, if any, on whose
20	behalf you are appearing)
21	935 Hwy 208 Yearngton, Nu. 89447
22	(Address)
3	175-463-1254
4	(Telephone number)
5	
6	
7	

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 5 of 114

August 24, 2008

Susan L. Schneider, Attorney U.S. Department of Justice P.O. Box 756 Littleton, Co 80160-0756

Re: United States of America, Plaintiff, Walker River Paiute Tribe, Plaintiff-Interventor, vs. Walker Irrigation District, a Corporation, et al.

Dear Ms. Schneider,

This letter is to acknowledge receipt of the materials sent to me regarding the above referenced civil action.

Upon advice of counsel, I will not sign any documents.

Sincerely

Wyatt J. Owens P.O. Box 44

Smith, Nv 89430

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 6 of 114

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125. Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 5-28- 2008

If you are acting on behalf of any entity, identify that you are acting as:

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Casecas 73	7840001277EPREPAVV CPC POBOLINASEN	FNTERED SERVED ON
		COUNSEL/PARTIES OF RECORD
1		19 2008
2	IN THE UNITED STATE FOR THE DISTRIC	/ <del></del>
, 3	UNITED STATES OF AMERICA,	CLERK US DISTRICT COURT DISTRICT OF NEVADA DEPUTY
4	Plaintiff,	) BY:
5	WALKER RIVER PAIUTE TRIBE,	) IN EQUITY NO. C-125
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B
7	vs.	<b>)</b>
8	WALKER RIVER IRRIGATION DISTRICT,	}
9	a corporation, et al.,	)
10	NOTICE OF APPEARANCE AN	D INTENT TO PARTICIPALE
11	1. I hereby enter my appearance in the	is sub-proceeding in this case.
12	li e	District Court at the following address:
13	Chief Deputy Clerk	
14	United States District Court for th	
15	400 South Virginia Street, Suite 3 Reno, Nevada 89501	01
16	·	n of my Waiver of Service of Notice in Lieu of
17	Summons, I am mailing a copy of this document	
18	Susan L. Schneider	
19	Attorney for the United States of	ce
20	Environment & Natural Resource P.O. Box 756	s Division
21	Littleton, Colorado 80160	
22	1	am acting) will retain all defenses or objections
23	o the lawsuit or to the jurisdiction or venue of the	
24	n the Notice in Lieu of Summons or in the servi	
25		arm acting) have retained an attorney to represent
26		
27	elephone number, facsimile number, and e-mail	address:
28		
	NOTICE OF APPEARANCE AND INTENT TO	PARTICIPATE, page 1 of 2

# ் Caseஆ**்7இரக்ஸ் 0**0112**2-ஈளுக்கில் Goodboot** பின்போடு இரு 1/089 இதி 8 of 114

u	
1	Attorney:
2	
3	Address:
4	
5	
6	Phone Number:
7	Fax Number:
8	E-mail Address:
9	to comply with the
10	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
11	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
12	"Attorneys who are admitted to the bar of this court, admitted to participate in the bar of this court, admitted to participate in the hac vice, or who are authorized to represent the United States and its agencies, shall hac vice, or who are authorized to represent the United States and its agencies, shall have vice, or who are authorized to represent the United States and its agencies, shall have vice, or who are authorized to represent the United States and its agencies, shall have vice, or who are authorized to represent the United States and its agencies, shall have vice, or who are authorized to represent the United States and its agencies, shall have vice, or who are authorized to represent the United States and its agencies, shall have vice, or who are authorized to represent the United States and its agencies, shall have vice, or who are authorized to represent the United States and its agencies, shall have vice, or who are authorized to represent the United States and its agencies, shall have vice, or who are authorized to represent the United States and its agencies, shall have vice, or who are authorized to represent the United States and its agencies, shall have vice, or who are authorized to represent the United States and its agencies, shall have vice, or who are authorized to represent the United States and its agencies, shall have vice, and vice vice vice vice vice vice vice vice
13	Clerk of the Court and by these Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
14	
15	Denk P
16	(Signature)
17	
18	DEREK PAN
19	(Printed or typed Name)
20	
21	
22	(Entity, if any, on whose behalf you are appearing)
23	4810 N SOLDER TR
24	
25	(Address) (520) 300-0206
2	
2	7
	II.

1810 N Soulier Tr Lucson, AZ 85749

TO HAN SOON PRI AL

CHIEF DEPUTY CLERK
UNITED STATES DISTRICT COURT FOR
DISTRICT OF NEVADA
400 SOUTH VIRGINIA St, SWITE 301

か大

RENO, NV 89501

TUCSON AZ 659

Case <sup>2</sup> :937	8-6-10.0f.14
,	FILED RECEIVED SERVED ON COUNSEL/PARTIES OF RECORD
1	
2	IN THE UNITED STATES DISTRICT COURTUN 13 2008 FOR THE DISTRICT OF NEVADA
3	JNITED STATES OF AMERICA,  OCCURR US DISTRICT COURT  DISTRICT OF NEVADA  DEPUTY
4	Plaintiff,
ł de la de l	WALKER RIVER PAIUTE TRIBE,  IN EQUITY NO. C:125
6	Plaintiff-Intervenor, SUBFILE NO. C-125-B
7	vs.
8 ! 9 !	WALKER RIVER IRRIGATION DISTRICT,  a corporation, et al.,
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE
11	1. I hereby enter my appearance in this sub-proceeding in this case.
12	<ol> <li>I am filing this document with the District Court at the following address:</li> </ol>
13	Chief Deputy Clerk
14	United States District Court for the District of Nevada 400 South Virginia Street, Suite 301
15	Reno, Nevada 89501
16 17	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
18	Summons, I am mailing a copy of this document to:
19	Susan L. Schneider Attorney for the United States of America
20	United States Department of Justice Environment & Natural Resources Division
21	P.O. Box 756 Littleton, Colorado 80160
. 22	4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
23	o the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
24	n the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent
26	
27	elephone number, facsimile number, and e-mail address:
28	
	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

1	Attorney:
2	
3	Address:
4	
5	
6	Phone Number:
7	Fax Number:
8	E-mail Address:
9	
10	PLEASE NOTE: Attorneys are reminded that they are required to comply with the
11	electronic filing procedures of the U.S. District Court for District of Nevada.
12	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall
13	register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev.,
14	Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
15	Trum Pan
16	•
17	(Signature)
18	TREVOR PAN
19	(Printed or typed Name)
20	6.9.08
21	
22.	Cathe if any on whose
- 1	(Entity, if any, on whose behalf you are appearing)
23	1901 EEL PARQUE OR
24	TEMPE, 12 85282
25	(Address) +20 516 9951
ا ہے نے	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
26 27	(Telephone number)

PHOENCY AN AND the later are with the

Trevor Path 1901 ETHERING DV Tempe, AZ 85282-2901

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 13 of 114

### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

# TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 4 9 8

Signature

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

1			
2		IN THE UNITED STATES DIFOR THE DISTRICT O	ISTRICT COURT OF NEVADA
3`	JNITED ST	ATES OF AMERICA,	)
4		Plaintiff,	) )
5	WALKER R	IVER PAIUTE TRIBE,	IN EQUITY NO. C-125
6		Plaintiff-Intervenor,	SUBFILE NO. C-125-B
7	vs.		) )
8 9	WALKER R corporation	IVER IRRIGATION DISTRICT, n, et al.,	) ) )
10		NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE
11	1.	I hereby enter my appearance in this sul	b-proceeding in this case.
12	2.	I am filing this document with the Distr	
13		Chief Deputy Clerk United States District Court for the	
14   15		District of Nevada 400 South Virginia Street, Suite 301	
ļ		Reno, Nevada 89501	
16	3.	In the envelope provided for return of a	my Waiver of Service of Notice in Lieu of
17	Summons, I	am mailing a copy of this document to:	
18		Susan L. Schneider Attorney for the United States of Amer	ica
19 20		United States Department of Justice Environment & Natural Resources Div	
21		P.O. Box 756 Littleton, Colorado 80160	
22	4.	I (or the entity on whose behalf I am ac	eting) will retain all defenses or objections
23	o the lawsu	it or to the jurisdiction or venue of the co	urt except for objections based on a defect
24	n the Notic	e in Lieu of Summons or in the service of	the Notice in Lieu of Summons.
25	5.	If I (or the entity on whose behalf I am ac	ting) have retained an attorney to represent
26	me in these	proceedings, I identify that attorney belo	w, along with his or her mailing address
27	elephone n	umber, facsimile number, and e-mail addi	ess:
28			
	N .		1 of 2

### B-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 15 of 114 1 Attorney: 2 Address: 3 4 5 Phone Number: 6 Fax Number: 7 E-mail Address: 8 9 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 10 electronic filing procedures of the U.S. District Court for District of Nevada. 11 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 12 register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., 13 Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 14 15 16 Signature 17 18 19 (Printed or typed Name) 20 21 22 (Entity, if any, on whose behalf you are appearing) 23 24 25 (Address) 26 (Telephone number) 27

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 16 of 114

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: <b>6</b> /4/08	Margaret Pauly Signature Margaret Pauly	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify the	at you are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 17 of 114

1		
2	IN THE UNITED STATES FOR THE DISTRICT	
3	UNITED STATES OF AMERICA,	)
4	Plaintiff,	
5	WALKER RIVER PAIUTE TRIBE,	) IN FOURTY NO. C 126
6		) IN EQUITY NO. C-125
7	Plaintiff-Intervenor,	) SUBFILE NO. C-125-B
8	VS.	)
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	)
10	NOTICE OF APPEARANCE AND I	NTENT TO PARTICIPATE
11		
12	1. I hereby enter my appearance in this s	-
13	2. I am filing this document with the Dis	strict Court at the following address:
14	Chief Deputy Clerk United States District Court for the	
15	District of Nevada 400 South Virginia Street, Suite 301	
16	Reno, Nevada 89501	
	3. In the envelope provided for return of	f my Waiver of Service of Notice in Lieu of
17	Summons, I am mailing a copy of this document to:	
18	Susan L. Schneider	
19	Attorney for the United States of Ame United States Department of Justice	erica
20	Environment & Natural Resources Di P.O. Box 756	vision
21	Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am a	acting) will retain all defenses or objections
23	o the lawsuit or to the jurisdiction or venue of the co	ourt except for objections based on a defect
24	n the Notice in Lieu of Summons or in the service of	f the Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf I am a	cting) have retained an attorney to represent
26	ne in these proceedings, I identify that attorney belo	ow, along with his or her mailing address,
27	elephone number, facsimile number, and e-mail add	ress:
28		

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

### -cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 18 of 114 1 Attorney: 2 3 Address: 4 5 Phone Number: 6 Fax Number: 7 E-mail Address: 8 9 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 1.0 electronic filing procedures of the U.S. District Court for District of Nevada. 11 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 12 register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., 13 Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 14 15 16 (Signature) 17 18 19 20 21 22 (Entity, if any, on whose behalf you are appearing) 23 24 25 (Address) 26 (Telephone number) 27

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 19 of 114

### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 5/28/2008

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: \_\_\_\_\_\_ of

(Title)

(Corporate, Trust, Partnership or other entity)

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

1		
2	IN THE UNITED STATES I FOR THE DISTRICT (	
3	UNITED STATES OF AMERICA,	)
4	Plaintiff,	)
5	WALKER RIVER PAIUTE TRIBE,	) IN EQUITY NO. C-125
6	Plaintiff-Intervenor,	) SUBFILE NO. C-125-B
7		)
8	VS.	
9	WALKER RIVER IRRIGATION DISTRICT, corporation, et al.,	)
10	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE
11	1	h maaaadina in thiq oogo
12	1. I hereby enter my appearance in this su	•
13	2. I am filing this document with the Dist	rict Court at the following address:
14	Chief Deputy Clerk United States District Court for the District of Nevada	
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16 17	3. In the envelope provided for return of r	my Waiver of Service of Notice in Lieu of
18	Summons, I am mailing a copy of this document to:	
	Susan L. Schneider	·
19	Attorney for the United States of Amer United States Department of Justice	
20	Environment & Natural Resources Division P.O. Box 756	
21	Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am ac	ting) will retain all defenses or objections
23	o the lawsuit or to the jurisdiction or venue of the cou	art except for objections based on a defect
24	n the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.	
25	5. If I (or the entity on whose behalf I am act	ing) have retained an attorney to represent
26	ne in these proceedings, I identify that attorney below	w, along with his or her mailing address,
27	elephone number, facsimile number, and e-mail address:	
28		

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 21 of 114

1	Attorney:
2	
3	Address:
4	
5	
6	Phone Number:
7	Fax Number:
8	E-mail Address:
9	
LO	<u>PLEASE NOTE:</u> Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
11	"Attornove who are admitted to the har of this court, admitted to participate in a case pro
12	hac vice, or who are authorized to represent the United States and its agencies, shall be in the form prescribed by the
1.3	Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
14	
15	Tat rua facher
16	(Signature)
17	
18	FAHRICIA YEACHER
19	(Printed or typed Name)
20	
21	
22	(Entity, if any, on whose
23	behalf you are appearing)
24	Verington, NV 89447 (Address) (775) 463-2715
25	(Address) (725) 462-2715
26	(Telephone number)
27	/~~~F/

### Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 22 of 114

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 5/28/2008	Signature Roger Reacher	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that acting as:	you are of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 23 of 114

UNITED STATES OF AMERICA,	)
Plaintiff.	)
·	) IN EQUITY NO. C-125
	) SUBFILE NO. C-125-B
	) SOBFILE NO. C-125-B
	)
	)
NOTICE OF APPEARANCE AND IN	ITENT TO PARTICIPATE
1. I hereby enter my appearance in this su	ab-proceeding in this case.
<ol> <li>I am filing this document with the Dis</li> </ol>	trict Court at the following address:
Chief Deputy Clerk United States District Court for the	
400 South Virginia Street, Suite 301	
•	my Waiver of Service of Notice in Lieu of
Summons, I am mailing a copy of this document to:	
Susan L. Schneider	
United States Department of Justice	
P.O. Box 756	7ISION
Littleton, Colorado 80160	
4. I (or the entity on whose behalf I am ac	eting) will retain all defenses or objections
o the lawsuit or to the jurisdiction or venue of the co	urt except for objections based on a defect
n the Notice in Lieu of Summons or in the service of	the Notice in Lieu of Summons.
5. If I (or the entity on whose behalf I am ac	ting) have retained an attorney to represent
ne in these proceedings, I identify that attorney belo	w, along with his or her mailing address,
elephone number, facsimile number, and e-mail addr	ess:
	Plaintiff, WALKER RIVER PAIUTE TRIBE, Plaintiff-Intervenor, vs.  WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,  NOTICE OF APPEARANCE AND IN  1. I hereby enter my appearance in this su 2. I am filing this document with the District of Deputy Clerk United States District Court for the District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501  3. In the envelope provided for return of Summons, I am mailing a copy of this document to:  Susan L. Schneider Attorney for the United States of Ameter United States Department of Justice Environment & Natural Resources Div P.O. Box 756 Littleton, Colorado 80160  4. I (or the entity on whose behalf I am action the lawsuit or to the jurisdiction or venue of the count the Notice in Lieu of Summons or in the service of

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

### Case 3:7\$-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 24 of 114 Attorney: Address: Phone Number: Fax Number: E-mail Address: PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada. "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. (Printed or typed Name) (Entity, if any, on whose you are appearing)

(Telephone number)

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 25 of 114

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

#### Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 6-9-08

Holey, Carol M. Pearce

Alonzo W. Pearce, Carol M. Pearce

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

(Title)

acting as: Trustees

Alonzow. 9 Carol M. Pearce Family Trust (Corporate, Trust, Partnership or other entity)

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3.73	₹\$\$\!###################################	JUNE 2011 ENGLY STATES OF THE
		COUNSEL/PARTIES OF RECORD
1		JUN 1 1 2008 QU
2	IN THE UNITED STATES D FOR THE DISTRICT O	DE NEVADA CLERK US DISTRICT COURT
3	UNITED STATES OF AMERICA,	DISTRICT OF NEVADA DEPUTY
4	Plaintiff,	)
5	WALKER RIVER PAIUTE TRIBE,	) IN EQUITY NO. C-125
6	Plaintiff-Intervenor,	) SUBFILE NO. C-125-B
7	vs.	) }
9	WALKER RIVER IRRIGATION DISTRICT, corporation, et al.,	) ) )
10	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE
11	1. I hereby enter my appearance in this sub	b-proceeding in this case.
12	2. I am filing this document with the Distr	
13	Chief Deputy Clerk	<b>5</b>
14	United States District Court for the District of Nevada	
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16	3. In the envelope provided for return of n	ny Waiver of Service of Notice in Lieu of
17	Summons, I am mailing a copy of this document to:	
18	Susan L. Schneider	ion
19	Attorney for the United States of Ameri United States Department of Justice Environment & Natural Resources Divi	
20 21	P.O. Box 756 Littleton, Colorado 8016()	
22		ting) will retain all defenses or objections
	to the lawsuit or to the jurisdiction or venue of the cou	
24	n the Notice in Lieu of Summons or in the service of t	
25	5. If I (or the entity on whose 'behalf I am act	ing) have retained an attorney to represent
26	me in these proceedings, I identify that attorney below	w, along with his or her mailing address,
27	elephone number, facsimile number, and e-mail addre	ess:
28		

# Case 3:73 25 00 172 F-FRCS W @ C 114

- 1	
1	Attorney:
2	
3	Address:
4	
5	
6	Phone Number:
7	Fax Number:
8	E-mail Address:
بو	
LO	PLEASE NOTE: Attorneys are reminded that they are required to comply with the
L1	electronic filing procedures of the U.S. District Court for District of Nevada.
12	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall
13	register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev.,
!4	Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
15	
16 16	goth Sex, Carol M. Pearce
17	✓ (Signature)
18	2 2
	Alonzo W. Pearce, Carol M. Pearce
19	(Printed or typed Name)  Alonzo W.T Carol M. Pearce
20	Family Trust
21	Trustees
22	(Entity, if any, on whose
23	behalf you are appearing) P.O. Box 169
24	Therington, NV 39447
25	(Address)
26	775-463-3705 (Telephone number)
27	(Telephone number)

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 28 of 114

### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

muster Pere

Date: 2/19/03

If you are acting on behalf of any entity, identify that you are acting as Trustee of the

### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

# Case 3:78-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 29 of 114

1	
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
3	UNITED STATES OF AMERICA, )
4	Plaintiff,
5	WALKER RIVER PAIUTE TRIBE, ) IN EQUITY NO. C-125
6	Plaintiff-Intervenor, SUBFILE NO. C-125-B
7	vs.
8	WALKER RIVER IRRIGATION DISTRICT; )
9	a corporation, et al.,
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE
11	1. I hereby enter my appearance in this sub-proceeding in this case.
12	<ol> <li>I am filing this document with the District Court at the following address and as</li> </ol>
13	directed on the Notice In Lieu of Summons:
14	Chief Deputy Clerk United States District Court for the
15 16	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501
17	3. I (or the entity on whose behalf I am acting) will retain all defenses or objections
18	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
19	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
20	4. If I (or the entity on whose behalf I am acting) have retained an attorney to
21	represent me in these proceedings, I identify that attorney below, along with his or her mailing
	address, telephone number, facsimile number, and e-mail address:
22	address, telephone number, facsimile number, and e-man address.
23	
24	Attorney:
25	
26	Address:
27	
28	

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 30 of 114

1	Phone Number:
2	Fax Number:
3	E-mail Address:
4	
5	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
7	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by
8	the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
9	
11	
12	
13	(Signature)
14	
15	(Printed or typed Name)
16	(Printed or typed Name)
17	
18	JAMES E PERODOY
19	(Entity, if any, on whose
20	behalf you are appearing)
21	
22	(Address)
23	(Telephone number)
24	( z e o parent a amaze e )
25	
26	
27	
28	

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 31 of 114

1	
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
3	UNITED STATES OF AMERICA, )
4	Plaintiff,
5	WALKER RIVER PAIUTE TRIBE, ) IN EQUITY NO. C-125
6	Plaintiff-Intervenor, SUBFILE NO. C-125-B
7	vs.
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE
11	I hereby enter my appearance in this sub-proceeding in this case.
12 13	2. I am filing this document with the District Court at the following address and as directed on the Notice In Lieu of Summons:
14	Chief Deputy Clerk
15 16	United States District Court for the District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501
17	3. I (or the entity on whose behalf I am acting) will retain all defenses or objections
18	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
19	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
20	4. If I (or the entity on whose behalf I am acting) have retained an attorney to
21	represent me in these proceedings, I identify that attorney below, along with his or her mailing
22	address, telephone number, facsimile number, and e-mail address:
23	
24	Attorney:
25	
26	Address:
27	
28	

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 32 of 114

1	Phone Number:	
2	Fax Number:	
3	E-mail Address:	
4		
5	PLEASE NOTE: Attorneys are reminded that they are required to comply with electronic filing procedures of the U.S. District Court for District of Nevada.	the
6	"Attorneys who are admitted to the bar of this court, admitted to participate in a case	pro
7	hac vice, or who are authorized to represent the United States and its agencies, s	hall d by
8	the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.	, D.
9		
10		
11		
12	(Signature)	
13	(Signature)	
14	Sorrer 7. Perole	i Ao
15	(Printed or typed Name)	7
16		
17	Lorna F. Perodd	. 1
18	(Entity, if any, on whose	<del>}</del>
19	behalf you are appearing)	
20		
21	(Address)	<del></del>
22	(Addicss)	
23	(Telephone number)	
24		
25		
26		
27		
28		

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 33 of 114

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

#### TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 7/26/06

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: Beneficial lairest of

(Corporate, Trust, Partnership or other entity)

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 34 of 114

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

#### TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125. Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAILITE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit
or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu o
Summons or in the service of the Notice in Lieu of Summons

Date: 5-31-08

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: MAMAGER

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 INITED STATES OF AMERICA, 4 Plaintiff, 5 IN EOUITY NO. C-125 WALKER RIVER PAIUTE TRIBE, 6 SUBFILE NO. C-125-B Plaintiff-Intervenor, 7 vs. 8 WALKER RIVER IRRIGATION DISTRICT, corporation, et al., 9 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. I am filing this document with the District Court at the following address: 12 2. 13 Chief Deputy Clerk United States District Court for the 14District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 16 3. 17 summons, I am mailing a copy of this document to: 18 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 I (or the entity on whose behalf I am acting) will retain all defenses or objections 4. 22 o the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 23 n the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 If I (or the entity on whose behalf I am acting) have retained an attorney to represent 25 me in these proceedings, I identify that attorney below, along with his or her mailing address, 26 elephone number, facsimile number, and e-mail address: 28 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

	Attorney: Gondon H Departi, NALE E PERGUSON
1	WOODBURN AND WEAGE
2	POBOX 2311
3	RENO, NV 89505
4	
5	Phone Number: 775 688 3000
6	$\sim -1000$
7	
8	E-mail Address:
9	ingles comply with the
10	<u>PLEASE NOTE:</u> Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
11	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall have vice, or who are authorized to represent the United States and its agencies, shall have vice, or who are authorized to represent the United States and its agencies, shall have vice in the form prescribed by the
12	hac vice, or who are authorized to represent the Officer States that the form prescribed by the register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev.,
13	Clerk of the Court and by these Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
14	
15	by Sary Saran Bren
16	(Signature) B GDA DegareTKC  MANAGER
17	
18	GARY J GARMS
19	(Printed or typed Name)
20	
21	VREPPY VisiON LLC
22	(Entity, if any, on whose
23	behalf you are appearing)  Po Box 170
24	Smith NV 89430
25	(Address)
26	775 965 2406 (Telephone number)
27	
28	

## Case 3:73-cv-00127-RCJ-WGC Document 4 F

US Department of Justice PO Box 756 Littleton, CO 80160-0756





TO: Preppy Vision LLC
Don L. Ross, Esq., Resident Agent
6100 Neil Road, Suite 500
Reno, NV 89511-1149

You have been named as a Defendant in

## Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 38 of 114

## WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 6/14/08	Signature  Signature  Margaret M. Peice  Printed/Typed Name  If you are acting on behalf of any entity, identify that you	ore.
	acting as:(Title)	of
	(Corporate, Trust, Partnership or other entity)	

## Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

#### Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 39 of 114 1 Attorney: 2 Address: 3 4 r Phone Number: 6 Fax Number: 7 E-mail Address: 3 9 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 10 electronic filing procedures of the U.S. District Court for District of Nevada. 11 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 12 register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., 13 Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 14 15 16 (Signature) 17 18 19 (Printed or typed Name) 20 21 22 (Entity, if any, on whose behalf you are appearing) 23 24 25 (Address)

(Telephone number)

26

27

28

## Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 40 of 114

## WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 4/14/08

Signature

Thomas

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

(Title)

(Corporate, Trust, Partnership or other entity)

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

# Case 3: 3-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 41 of 114

.1	Attorney:
2	
3	Address:
4	
Ę.	
6	Phone Number:
7	Fax Number:
8	E-mail Address:
9	
10	PLEASE NOTE: Attorneys are reminded that they are required to comply with the
11	electronic filing procedures of the U.S. District Court for District of Nevada.
L2	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Horn of the System. Pagistration shall be in the form prescribed by the
13	register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
14	Executoric 1 ming 1 rocedures (1cv. Aug. 24, 2000) at i.e.
15	Frank Philos
ιG	(Signature)
17	(0.8
L8	thomas A. PRICE SR
9	(Printed or typed Name)
20	
21	
22	(Entity, if any, on whose
:3	behalf you are appearing)
24	
25	(Address)
26	
7	(Telephone number)

## Case 3:73-76 -000127 - RCR-WGC Document 4 F1166/39/2038 1/08 4 age 43 of 114

	water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once				
	owned before the undersigned was served with a Waiver of Service of Notice in Lieu of				
•	Summons or by a Notice in Lieu of Summons, the undersigned provides the following				
4	additional information:				
5					
ε	ownership:				
7					
. 8					
9					
10	Street or P.O. Box:				
11					
12	Town or City:				
13					
14	State:				
. 15					
16	Zip Code:				
<u>:</u> 7	2. The name and address of each person or entity who acquired ownership				
18					
19	Name(s):				
20					
21					
22	Street or P.O. Box:				
23					
24	Town or City:				
25					
· · · []	State:				
26					
27	Zip Code:				
28					
幫					

## Case<sup>C3:7</sup>3:74 000127 FRCRAW GC CDCCLL HEAD FILE (1992) 1/08 4 3 6 114

	3. Attached to or included with this notice is a copy of the (check appropriate
	box(es)):
(	□ Deed
7	Court Order
. 8	Other Document.
ģ	
10	by which the change in ownership was accomplished.
21	4. The undersigned acknowledges that any person or entity who files a Disclaimer
12	of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,
. 13	the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,
14	in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of
15	this litigation.
16	
<u> </u>	Executed this 25 day of JUNE 200 8.
18	Executed this 65 day of 10th 2008.  What was worked the control of
19	were white
20	were parties
~~	Notice the water with [signature of counter-defendant]  Then you was a signature of counter-defendant]  Manually a figure to
22	The population of the same of
23	[signature of counter-defendant]
	King to the second of the seco
24	of the oute
25	TOTAL SIZ
26	[name of counter-defendant]
27	
. 28	

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 3 of 4

[name, if applicable, of person acting on behalf of counter-defendant] [signature, if applicable, of person acting on behalf of Counter-Defendant] POB 83 WELLINGTON NV 89444 [address] \_7 725 - 465 - 2404 [telephone number] 

LINDA LEA SHARER, CHIEFT DEPUTY CLERK
UNITED STATES DISTRICT COURT DISTRICT OF NEWA
400 S VIRGINIA STREET, SUITE 301 REND NU 89501



## Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 47 of 114

7 2 3 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA 4 UNITED STATES OF AMERICA, 5 Plaintiff, 6 In Equity No. C-125-ECR Subfile No. C-125-B 7 WALKER RIVER PAIUTE TRIBE, DISCLAIMER OF INTEREST IN 8 Plaintiff-Intervenor, WATER RIGHTS AND NOTICE OF RELATED INFORMATION AND 9 DOCUMENTATION SUPPORTING 10 DISCLAIMER WALKER RIVER IRRIGATION 11 DISTRICT, a corporation, et al., 12 13 Defendants. 14 15 The undersigned counter-defendant in the above action hereby notifies the Court and the 16 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has 17 no interest in any water right within the categories set forth in Paragraph 3 of the Case 18 Management Order (Apr. 18, 2000) and, therefore, disclaims all interest in this action. 19 This disclaimer and notice shall be sent to the following two persons: 20 Linda Lea Sharer, Chief Deputy Clerk 21 United States District Court for the District of Nevada 22 400 South Virginia Street, Suite 301 Reno, NV 89501 23 And 24 Susan L. Schneider 25 United States Department of Justice 26 P.O. Box 756 Littleton, CO 80160 27 In addition, because the undersigned sold or otherwise conveyed ownership of all of the 28

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 1 of 4

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 48 of 114

7	ı <b> </b>			
	water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once			
	owned before the undersigned was served with a Waiver of Service of Notice in Lieu of			
3	Summons or by a Notice in Lieu of Summons, the undersigned provides the following			
4	additional information:			
5				
6	ownership:			
. 7				
·. 8	Name(s):			
9				
10	Street or P.O. Box:			
11				
•	Town or City.			
12				
13	_			
14	State:			
15				
16	Zip Code:			
17	2. The name and address of each person or entity who acquired ownership			
18				
19	Name(s):			
20				
21				
	Street or P.O. Box:			
22				
23	Town or City:			
24	-vana City.			
25				
26	State:			
7				
8	Zip Code:			
	DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 2 of 4			

Case	3:73	-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 49 of 114
	1	
-	2	3. Attached to or included with this notice is a converse.
	3	morades with this notice is a copy of the (check appropriate
	4	box(es)):
	5	
	6	□ Deed
	7	☐ Court Order
	8	☐ Other Document.
•	ۉ	
-	10	by which the change in ownership was accomplished.
	11	4. The undersigned acknowledges that any person or entity who files a Disclaime
	12	of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently
-	13	the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but
	14	in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of
	- 5	this litigation.
	16	
	17	Executed this 25 day of JONE 200 8.  NOTE THAT WHICH WARREN WE THANK WOUNTED THE ON THE ON THE ON THE SIGNATURE OF COUNTER-DEFENDANT]  WELL A ROLL OF THE OWNER OF THE OWNER OF COUNTER-DEFENDANT]
	_a_	
	19.	THAT WATER
•	20	NOTE NO THAT IN
	21	Maion Vierta
	22	[signature of counter-defendant]
	23	pulit with our descendance
	24	were
	25	SHABN PUECTA
	26	
v	27	[name of counter-defendant]
-	20	

## Case 3:73 cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 50 of 114

[name, if applicable, of person acting on behalf of counter-defendant]

[signature, if applicable, of person acting on behalf of Counter-Defendant]

POB 83 WELLINGTON NV PGYLLY

[address]

775-465-2404

[telephone number]

## Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 51 of 114

# U.S. DEFT. OF JUSTICE WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS PAY. & NAT. RES. DIV. DENVER, CO

Susan L. Schneider, attorney for the United States of America TO:

2008 NOV 10 PM 1: 10

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: Nov. 3 2006

WILLIAM W. NICHOLS

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

220 Stenism Creek G acting as: Mangen

(Title)

Corporate, Trust, Partnership or other entity)

REF: Uppen County SAC Corporate of Notice in Lieu of Summons

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

### Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 52 of 114

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

#### TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

<b>-</b>	Restord Flore	
Date: 1-12-08	Signature Richard E Race	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that	you are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 53 of 114

1		
2	IN THE UNITED STATES I FOR THE DISTRICT (	
3	UNITED STATES OF AMERICA,	)
4	Plaintiff,	)
5	WALKER RIVER PAIUTE TRIBE,	) IN EQUITY NO. C-125
6	Plaintiff-Intervenor,	) SUBFILE NO. C-125-B
7	VS.	) )
8 9	WALKER RIVER IRRIGATION DISTRICT, care corporation, et al.,	
10	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE
11	I hereby enter my appearance in this su	b-proceeding in this case.
12 13	I am filing this document with the Dist	rict Court at the following address:
14	Chief Deputy Clerk United States District Court for the	
15	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16	·	my Waiver of Service of Notice in Lieu of
17	Summons, I am mailing a copy of this document to:	
18 19	Susan L. Schneider Attorney for the United States of Amer	ica
20	United States Department of Justice Environment & Natural Resources Division	
21	P.O. Box 756 Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am ac	ting) will retain all defenses or objections
23	o the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect	
24	n the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.	
25	5. If I (or the entity on whose behalf I am act	ing) have retained an attorney to represent
26	me in these proceedings, I identify that attorney below, along with his or her mailing address	
27	elephone number, facsimile number, and e-mail address:	
28		

#### -cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 54 of 114 Attorney: 1 2 Address: 3 4 5 Phone Number: 6 Fax Number: 7 E-mail Address: 8 9 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 10 electronic filing procedures of the U.S. District Court for District of Nevada. 11 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 12 register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., 13 Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 14 Theland Flave 15 16 (Signature) 17 18 19 (Printed or typed Name) 20 21 22 (Entity, if any, on whose behalf you are appearing) 23 24 25

(Telephone number)

26

27

28

### Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 55 of 114

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 5-30-08

Signature

Tanger S. Rangez

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

### Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 56 of 114

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

#### TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

	Tatly Kenney	
Date: May 30-2008	Signature RAMirez	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that you	are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

## Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 57 of 114

## WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS DENVER, CO. DIV.

2008 DEC -5 AM 11: 17

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 12-1-08

GARLY REASONER

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

(Title)

(Corporate, Trust, Partnership or other entity)

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

### Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 58 of 114

# WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONSENY, & NAT. RES. DIV. DENYER, CO

TO: Susan L. Schneider, attorney for the United States of America

2008 DEC -5 AM 11: 17

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 12-1-01

Signature MARTHA REASONER

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case <sup>C</sup> 39.73.4	BVCOU127FRERAW GCCDCCUMPIN FIRM	COUNSEL/PARTIES OF RECORD
1		AUG - 5 2008
2	IN THE UNITED STATES DIS FOR THE DISTRICT OF	INEVALABERY HIS DISTRICT COURT
3	UNITED STATES OF AMERICA,	BYDISTRICT OF NEVADA DEPUTY
4	Plaintiff,	
5	WALKER RIVER PAIUTE TRIBE,	IN EQUITY NO. C-125
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B
7	VS.	<b>,</b>
8	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	) )
9	NOTICE OF APPEARANCE AND INT	ENT TO PARTICIPATE
10		
11	<ol> <li>I hereby enter my appearance in this sub</li> </ol>	
12 \	2. I am filing this document with the District directed on the Notice In Lieu of Summons:	ct Court at the following address and as
14	Chief Denuty Clerk	
15	United States District Court for the District of Nevada	
16	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
17	<ol> <li>I (or the entity on whose behalf I am actir</li> </ol>	
18	to the lawsuit or to the jurisdiction or venue of the cour	
19	in the Notice in Lieu of Summons or in the service of	
20	4. If I (or the entity on whose behalf I a	
21	represent me in these proceedings, I identify that attorn	
. 22	address, telephone number, facsimile number, and e-r	nail address:
23		
24	Attorney:	
25		
26	Address:	
27		
28		
	NOTICE OF APPEARANCE AND INTENT TO PARTIC	CIPATE (service), page 1 of 2

# 

1	Phone Number:
2	Fax Number:
3	E-mail Address:
4	•
5	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
6	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
7	hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by
8	the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
9	14Cv., Liconome i ling i lococaro (1000 11-15)
10	$\cdot$
11	O de TO hear
12	auth J. Robust
13	(Signature)
14	O-TU. D. Prop Mar
15	(Printed or typed Name)
16	(1 miles es sypes ( miles)
17	
18	(Entity, if any, on whose
19	behalf you are appearing)
20	RO MILEY ICD YERUNGION N.V.
21	(Address)
22	781-7337
23	(Telephone number)
24	
25	
26	
27	

RO MILEY RD. ARTHUR LEERREDMON

04 AUG 2008 PM 3 T MINIO NA COS

400 South VIRGINIA STREET SUTTE 301 DISTRICT OF NEVADA UNITED STATES DISTRICT COURT FOR THE CHIEF DEPUTY CLERKS

Case <sup>c</sup> 3s <b>7</b> 3:	3v-000127FREBAWGCCDCCLiftent 4iif9f	8/05/20081/0 <mark>8 99 d gc 362, pf</mark> 11
		ENTERED SERVED ON COUNSEL/PARTIES OF RECORD
1		
2	IN THE UNITED STATES DIS FOR THE DISTRICT OF	TRICT COURT 5 2008 NEVADA
3	UNITED STATES OF AMERICA,	CLEAR HE DISTRICT COURT  DISTRICT OF MEMAGA
4	Plaintiff,	Y ORAL DEPUTY
5	WALKER RIVER PAIUTE TRIBE,	) IN EQUITY NO. C-125
6	Plaintiff-Intervenor,	) SUBFILE NO. C-125-B
7	Vs.	) )
. 8	WALKER RIVER IRRIGATION DISTRICT,	)
9	a corporation, et al.,	
10	NOTICE OF APPEARANCE AND INT	ENT TO FARTICIPATE
11	<ol> <li>I hereby enter my appearance in this sub</li> </ol>	-proceeding in this case.
12	I am filing this document with the District directed on the Notice In Lieu of Summons:	t Court at the following address and as
13		
14	Chief Deputy Clerk United States District Court for the District of Nevada	
15   16	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
17	3. I (or the entity on whose behalf I am actin	g) will retain all defenses or objections
18	to the lawsuit or to the jurisdiction or venue of the court	except for objections based on a defect
19	in the Notice in Lieu of Summons or in the service of	the Notice in Lieu of Summons.
20	4. If I (or the entity on whose behalf I ar	n acting) have retained an attorney to
21	represent me in these proceedings, I identify that attorn	ey below, along with his or her mailing
22	address, telephone number, facsimile number, and e-n	nail address:
23		
24	Attorney:	
25		
26	Address:	
27		
28	·	
	NOTICE OF APPEARANCE AND INTENT TO PARTIC	IPATE (service), page 1 of 2

•

# 

1	Phone Number:
2	Fax Number:
3	E-mail Address:
4	
5	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
6	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
7	hac vice, or who are authorized to represent the United States and its agencies, shall have been prescribed by
8	the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
9	
10	•
11	
12	Sure Sure
13	(Signature)
14	The Dank
15	(Printed or typed Name)
16	(1 mod or types 1 mine)
17	
18	(Entity, if any, on whose
19	behalf you are appearing)
20	20 Mily Ed
21	(Address)
22	775781-2641
23	(Telephone number)
24	
25	
26	
27	



District Nurak NO S. VIrsina St. Switz 34

OH MUSS 2008 PM 3 L



カロドロ まな 095

#### Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 65 of 114

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

#### TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 6-17-08

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

(Corporate, Trust, Partnership or other entity)

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

### Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 66 of 114

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 2-18-08

If you are acting on behalf of any entity, identify that you are acting as Trustee of the

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

### Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 67 of 114

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125. Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 8-14-08

If you are acting on behalf of any entity, identify that you are acting as: Surving Spouse of

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

## Case 3:73-23-909127-FRC-5-WGC DOEUn146 ht 4F 14116 d/07/2939 / 08 14 29 6 69 of 1 14

		1	CASE MANAGEMENT ORDER issued herein on the 18th day of April, 2000.
		2	DATED THIS 7th day of November, 2008.
		3	LAW OFFICES OF JOHN P. SCHLEGELMILCH, LTD.
		4	JOHN F. SCHLEGELWILLEH, LTD.
		5	/s/ John P. Schlegelmitch JOHN P. SCHLEGELMILCH, ESQ.
		6	State Bar # 4379
		7	30 Broadway Ave. Yerington, NV 89447
		8	
	Fx: (775) 463-3373	9	
		10	
		11	
ı, <i>Lıd</i> .	x: (775)	12	
elmilch tion		13	
Schleg Corpord Avenue	rda 894.	14	
of John P. Schleg. rofessional Law Corpora 30 Broadway Avenue	Yerington, Nevada 89447	15 16	
Law Offices of John P. Schlegelmilch, Ltd A Professional Law Corporation 30 Broadway Avenue	Yeringto	17	
v Offic A	3371	18	
u Tu	Ph: (775) 463-3371	19	
	Ph. (77	20	
		21	
		22	
		23	
		24	
		25	
		26	
		27	
		28	
		ll ll	

### Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 70 of 114

## WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

## TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

- <i>a</i> n	Lew Sukardson	
Date: $9-12-08$	Signature	
	BANY KICHARDSON	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that y	ou are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case <sup>C</sup> 3	<b>73:</b> 76	000127FREBAW GC DOCUMENT 4"FILETON 2001/089-1063 TO 11
	•	ENTERED SERVED ON COUNSEL/PARTIES OF RECORD
	1	No No
·	2	IN THE UNITED STATES DISTRICT COURT
	3	FOR THE DISTRICT OF NEVADA  CLERK US DISTRICT COURT  CLERK US DISTRICT COURT  CLERK US DISTRICT COURT  CLERK US DISTRICT COURT
	4	ONITED STATES OF AMERICA,
	5	Plaintiff,
	6	WALKER RIVER PAIUTE TRIBE,   IN EQUITY NO. C-125
	7	Plaintiff-Intervenor, ) SUBFILE NO. C-125-B
	8	vs.
	9	WALKER RIVER IRRIGATION DISTRICT, 5 a corporation, et al.,
	10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE
	11	<ol> <li>I hereby enter my appearance in this sub-proceeding in this case.</li> </ol>
•	12	2. I am filing this document with the District Court at the following address and as
	13	directed on the Notice In Lieu of Summons:
	14	Chief Deputy Clerk United States District Court for the
	15	District of Nevada 400 South Virginia Street, Suite 301
	16	Reno, Nevada 89501
	17	3. I (or the entity on whose behalf I am acting) will retain all defenses or objections
	18	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
	19	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
and making of the pro-	20	4. If I (or the entity on whose behalf I am acting) have retained an attorney to
	21	represent me in these proceedings, I identify that attorney below, along with his or her mailing
	22	address, telephone number, facsimile number, and e-mail address:
	23	
	24	Attorney:
•	25	
	26	Address:
	27	
	28	
	i	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE (service), page 1 of 2

the state of the s

# Case<sup>C</sup>3:7376で200127年代で54M/Gで2000には1383nt 年間自27/39/2931/0899 age 72 of 114

1	Phone Number: 775 463 2437
2	Fax Number: 175 463-4421
3	E-mail Address: NAMHONDFURN @ HOTMAN. COM
4	
5	PLEASE NOTE: Attorneys are reminded that they are required to comply with the
6	electronic filing procedures of the U.S. District Court for District of Nevada.
7	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall
8	register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D.
 9	Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
10	
11	
12	July Siddle
1.3	(Signature)
14	
15	JUDY A. RIDDLE
16	(Printed or typed Name)
17	
18	**************************************
19	(Entity, if any, on whose
20	behalf you are appearing)
21	20 S. MAIN ST. 89447
22	(Address) 
23	(Telephone number)
24	· ·
25	
26	
27	
28	

5 Just Risole 7.05. Manu 5.

TOTAL CONTROL CONTROL

29 JUL 2008 PM 3-T

BOR ONES

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 74 of 114

# WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

# TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit
or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu o
Summons or in the service of the Notice in Lieu of Summons.

Date: 3 30 - 08

Signature Ruth E. Rink

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: Irustee

(Title)

(Corporate, Trust, Partnership or other entity)

## Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

# 0

# Case 3:73 cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 75 of 114

2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA		
3	UNITED STATES OF AMERICA,		
4	Plaintiff,		
5	WALKER RIVER PAIUTE TRIBE, ) IN EQUITY NO. C-125		
6	Plaintiff-Intervenor, ) SUBFILE NO. C-125-B		
7 .	vs. )		
9	WALKER RIVER IRRIGATION DISTRICT, ) a corporation, et al., )		
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE		
11	1. I hereby enter my appearance in this sub-proceeding in this case.		
12	2. I am filing this document with the District Court at the following address:		
13	Chief Deputy Clerk		
14	United States District Court for the District of Nevada		
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501		
16	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of		
17	Summons, I am mailing a copy of this document to:		
18	Susan L. Schneider		
19	Attorney for the United States of America United States Department of Justice		
20	Environment & Natural Resources Division P.O. Box 756		
21	Littleton, Colorado 80160		
22	4. I (or the entity on whose behalf I am acting) will retain all defenses or objections		
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect		
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.		
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent		
26	me in these proceedings. I identify that attorney below, along with his or her mailing address		
27	telephone number, and facsimile number:		
28			

# Case 3:78-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 76 of 114

1		
1	Attomey:	
2		
3	Address:	
4		
5	-	
6	Phone Number:	
7	Fax Number:	1
8		x Burth & Riska
9		(Signature)
10		
11		Buth E. Rink, individual
12		(Printed or typed Name) and as Trustel of
13		the
14	•	Ruth E. RINK 300.2
15		(Entity, if any, on whose behalf you are appearing)
16		366 Somerset Dr.
17		Carson City, NV 89701
18		(Address) (775) 720-0908
19		(Telephone number)
20		
21		
22		
23		
24		

26

27

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 77 of 114

## WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 05-30-2008

Alison J. Robert

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

## Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 78 of 114

1				
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA			
3	UNITED ST	ATES OF AMERICA,	)	
4		Plaintiff,	)	
5	WAIKER R	IVER PAIUTE TRIBE,	) IN EQUITY NO. C-125	
6	HALLER	,	) SUBFILE NO. C-125-B	
7		Plaintiff-Intervenor,	) SUBFILE NO. C-123-B	
8	vs.	,	) )	
9	WALKER R a corporation	IVER IRRIGATION DISTRICT, i, et al.,		
10		NOTICE OF APPEARANCE AND INT	TENT TO PARTICIPATE	
11	1.	I hereby enter my appearance in this sub	p-proceeding in this case.	
12	2.	I am filing this document with the Distri	ict Court at the following address:	
13		Chief Deputy Clerk United States District Court for the		
15		District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501		
16	3.	In the envelope provided for return of m	y Waiver of Service of Notice in Lieu of	
17	Summons, I am mailing a copy of this document to:			
18		Susan L. Schneider		
19		Attorney for the United States of American United States Department of Justice		
20		Environment & Natural Resources Division P.O. Box 756	sion	
21		Littleton, Colorado 80160		
22	4.	I (or the entity on whose behalf I am act	ing) will retain all defenses or objections	
23	o the lawsui	t or to the jurisdiction or venue of the coun	rt except for objections based on a defect	
24	n the Notice	in Lieu of Summons or in the service of the	he Notice in Lieu of Summons.	
25	5.	If I (or the entity on whose behalf I am acti	ng) have retained an attorney to represent	
26	me in these proceedings, I identify that attorney below, along with his or her mailing address,			
27	elephone number, facsimile number, and e-mail address:			
28				

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

# Case 3:7\$-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 79 of 114 Attorney: 1 2 Address: 3 4 5 Phone Number: 6 Fax Number: 7 E-mail Address: 8 9 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 10 electronic filing procedures of the U.S. District Court for District of Nevada. 11 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 12 register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., 13 Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 14 Alison J. Roberts 15 16 1.7 18 19 (Printed or typed Name) 20 21 22 (Entity, if any, on whose behalf you are appearing) 23 24 25 (Address) 26 (Telephone number) 27

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 80 of 114

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 5-29-2008

Signature

W. Cham B. Roberts

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

## Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

(Corporate, Trust, Partnership or other entity)

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 81 of 114

1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 JNITED STATES OF AMERICA, 4 Plaintiff, 5 WALKER RIVER PAIUTE TRIBE, IN EQUITY NO. C-125 6 SUBFILE NO. C-125-B Plaintiff-Intervenor. 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT, corporation, et al., 9 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. 12 I am filing this document with the District Court at the following address: 2. 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 3. 17 Summons, I am mailing a copy of this document to: 18 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 I (or the entity on whose behalf I am acting) will retain all defenses or objections 4. 22 o the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 23 In the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 If I (or the entity on whose behalf I am acting) have retained an attorney to represent 5. 25 me in these proceedings, I identify that attorney below, along with his or her mailing address, 26 elephone number, facsimile number, and e-mail address: 27 28 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

# -cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 82 of 114 Attorney: 1 2 Address: 3 4 5 Phone Number: 6 Fax Number: 7 E-mail Address: 8 9 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 1.0 electronic filing procedures of the U.S. District Court for District of Nevada. 11 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 12 register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., 13 Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 14 15 16 (Signature) 17 18 19 (Printed or typed Name) 20 21 22 (Entity, if any, on whose behalf you are appearing) 23

POB 2, 68 Pinon Dr.

Address) Wellington NV 89444

775 - 465 - 935/

(Telephone number)

28

24

25

26

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 83 of 114

## WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: Dec 5, 2008	Judith Curry Robinson AKH Judith Mousbach Signature Judith Curry Robinson AKH Judith MANSBACH
	Printed/Typed Name  If you are acting on behalf of any entity, identify that you are acting as: of (Title)
	(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with

a notice of appearance and intent to participate.

1560 ORAMAS RD SANTA BARBARA, CA 93103 Listed as Judith Mausbach

#### 3-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 84 of 114 & NAT. REST DENVER. CO IN THE UNITED STATES DISTRICT COURT 2000 DEC -8 PM 12:149 FOR THE DISTRICT OF NEVADA 3 NITED STATES OF AMERICA. 4 Plaintiff, 5 IN EQUITY NO. C-125 WALKER RIVER PAIUTE TRIBE, 6 SUBFILE NO. C-125-B Plaintiff-Intervenor, 7 VS. 8 VALKER RIVER IRRIGATION DISTRICT, corporation, et al., 9 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. 12 I am filing this document with the District Court at the following address: 2. 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 3. 17 Summons, I am mailing a copy of this document to: 18 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 I (or the entity on whose behalf I am acting) will retain all defenses or objections 4. 22 o the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 23 n the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 If I (or the entity on whose behalf I am acting) have retained an attorney to represent 5. 25 me in these proceedings, I identify that attorney below, along with his or her mailing address, 26 elephone number, facsimile number, and e-mail address: 27 28

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 85 of 114 1 Attorney: 2 Address: 4 5 6 Phone Number: 7 Fax Number: 8 E-mail Address:

<u>PLEASE NOTE:</u> Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.

"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.

Irsted as Judith Maustach meorrectly

1560 ORAMAS RD SANTA BARBARA, CA  Judith lung Robinson

ARA Junith Mandarch

(Signature)

TUDITH CURRY ROBINSON
AKA TUDITH MANSBACH
(Printed or typed Name)

(Entity, if any, on whose behalf you are appearing)

(Telephone number)

(Address)

1.0

Casecas 73	9vvv00127FFREVVVCCCDCCU1338nt 4iif1650	39/2931/08991ge 86 of 11
1		V FIRED RECEIVED SERVED ON COUNSEL PARTIES OF RECORD
2	IN THE UNITED STATES DISTR FOR THE DISTRICT OF N	ICT COURTAY 3 0
3	UNITED STATES OF AMERICA,	CLECK US DISTRICT COURT
4	Plaintiff,	BY:DEPUTY
5	WALKER RIVER PAIUTE TRIBE,	IN EQUITY NO. C-125
б :	Plaintiff-Intervenor,	SUBFILE NO. C-125-B
7 1	vs.	
8   9	WALKER RIVER IRRIGATION DISTRICT,  a corporation, et al.,	
10	NOTICE OF APPEARANCE AND INTEN	Γ TO PARTICIPATE
11	<ol> <li>I hereby enter my appearance in this sub-pro-</li> </ol>	ceeding in this case.
12	2. I am filing this document with the District Co	ourt at the following address:
13	Chief Deputy Clerk United States District Court for the	
14 15	District of Nevada  400 South Virginia Street, Suite 301  Reno, Nevada 89501	
16	3. In the envelope provided for return of my W	aiver of Service of Notice in Lieu of
17	Summons, I am mailing a copy of this document to:	
18	Susan I. Schneider	
19	Attorney for the United States of America United States Department of Justice	
20	Environment & Natural Resources Division P.O. Box 756 Little Colored 80160	
21	Littleton, Colorado 80160  4. I (or the entity on whose behalf I am acting)	will retain all defenses or objections
22	o the lawsuit or to the jurisdiction or venue of the court ex	
23	n the Notice in Lieu of Summons or in the service of the N	
24	1 h-h-left om opting)	
25 26	y via via stanta attarmay balony ale	
27	a tit 1 mod a mail address:	
28		
	NOTICE OF APPEARANCE AND INTENT TO PARTICIA	PATE, page 1 of 2

## Case 3.7 \$ 726 900 127 FREAW Combetur 38 nt 511 14 1656 120 31 / 089 38 6 87 of 114 Attorney: 1 2 Address: 3 4 5 Phone Number: 6 Fax Number: 7 E-mail Address: 8 9 PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada. 10 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro 11 hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by the 12 Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 13 14 Jun Rou C 15 (Signature) 16 17 JAmes Roche 18 (Printed or typed Name) 19 20 21 (Entity, if any, on whose 2.2 behalf you are appearing) 23 24 (Address) 25

(Telephone number)

26

27

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

-1 1	Jom Back	
Date: 5/21/08	Signature JAmes Rocas	
I'm not underst	Printed/Typed Name	
J'm not war to all	If you are acting on behalf of any entity, identify that acting as:	vou are
pil 1	(Title)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 89 of 114

Page 4 of 5 Filed 05/30/2008 Case 3:73-cv-00127-ECR-RAM Document 1338 E Sample Disk **美国建筑企图《新州市等》** the and the said (4 20124 VAN 20



# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 90 of 114

Filed 05/30/2008 Page 5 of 5 Case 3:73-cv 00127-ECR-RAM Document 1338

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 91 of 114

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 05 26 08	Julia A Roeder Signature Julia A Roeder	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that	you are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

# Case 3973 201001127 FORCOWN COCUMENTATION FIRE 105/30/22/31/089Page 93 of 114

- 15	
1	Attorney:
2	
3	Address:
4	
5	
6	Phone Number:
7	Fax Number:
8	E-mail Address:
9	$\cdot$
10	PLEASE NOTE: Attorneys are reminded that they are required to comply with the
11	electronic filing procedures of the U.S. District Court for District of Nevada.
12	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall have vice, or who are authorized to represent the United States and its agencies, shall be in the form prescribed by the
13	register as Filing Users of the System. Registration shall be in the total procedures." U.S. Dist. Ct., D. Nev.,
14	Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
1	
15	Jua A. Rosa
16	(Signature)
17	7
18	(Printed or typed Name)
19	(Finited of typed Name)
20	
21	CD 11 1C annuhace
22	(Entity, if any, on whose behalf you are appearing)
23	1435 my 208
24	- A - A - A - A - A - A - A - A - A - A
25	(Address) 775-463-1213
26	(Telephone number)
27	

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 94 of 114

Case 3:73-cv-00127-ECR-RAM

Document 1342

Filed 05/30/2008

Page 3 of 3



MAR ON ONE i

M SOUTH TO SOUTH

Rabintallandeballahalidada

89501+2192

400 SOUTH VIRGINIA ST, SUITE 301 US DISTRICT COURT FOR THE CHIEF DEPUTY CLERK DISTRICT OF NEVADA RENO, NEVADA 89501

YERINGTON, NV 89447 JULIA A ROEDER 1435 HWY 208

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 95 of 114

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 5-26-08

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case C3: 73: 18-C000127 EREBAW GROUP TO THE FIRE OF THE PROPERTY AND THE PROPERTY OF THE PROPE ....ENTERED SERVED ON COUNSEL TARTIES OF RECORD 1 IN THE UNITED STATES DISTRICT COURTS 2 FOR THE DISTRICT OF NEVADA 3 CLERK US DISTINCT COURT NITED STATES OF AMERICA. DISTRICT OF NEVADA 4 BY: Plaintiff, 5 IN EQUITY NO. C-125 ALKER RIVER PAIUTE TRIBE, 6 SUBFILE NO. C-125-B Plaintiff-Intervenor, 7 vs. 8 VALKER RIVER IRRIGATION DISTRICT, 9 corporation, et al., NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. 12 I am filing this document with the District Court at the following address: 2. 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 3. 17 Summons, I am mailing a copy of this document to: 18 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 I (or the entity on whose behalf I am acting) will retain all defenses or objections 4. 22 o the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 23 n the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 If I (or the entity on whose behalf I am acting) have retained an attorney to represent 5. 25 ne in these proceedings, I identify that attorney below, along with his or her mailing address, 26 elephone number, facsimile number, and e-mail address: 27 28 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

1	Attorney:
2	
3	Address:
4	
5	
6	Phone Number:
7	Fax Number:
8	E-mail Address:
9	
10	PLEASE NOTE: Attorneys are reminded that they are required to comply with the
11	electronic filing procedures of the U.S. District Court for District of Nevada.
12	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall
13	register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev.,
14	Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
15	Rould R Royw
16	(Signature)
17	(Digitation)
18	Ronald R Rocker
19	(Printed or typed Name)
20	
21	
22	(Entity, if any, on whose
23	behalf you are appearing)
24	1435 Hwy 208 Yearnday NV 89447
25	Yenington, NV. 89447 (Address)
26	775-463-12/3
27	(Telephone number)

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 98 of 114

Page 3 of 3 Case 3:73-cv-00127-ECR-RAM Document 1336 Filed 06/03/2008 RENO NV 89 <u>∑</u> 29 MAY 2008 2月12十10月月日

> RONALD R ROEDER 1435 HWY 208 YERINGTON, NV 89447

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 99 of 114

# WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

# TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: Sept. 11, 2008

Signature

Br. Matthew Cunningham

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: Chancellor of

Roman Catholic Bishop of Reno, and His Successors, a corporation sole

(Corporate, Trust, Partnership or other entity)

# Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

# Case 3.73 3.70 108 127 - C. W. C. W.

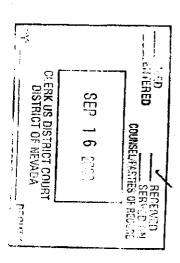
1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA, 4 Plaintiff, 5 WALKER RIVER PAIUTE TRIBE, IN EQUITY NO. C-125 6 SUBFILE NO. C-125-B Plaintiff-Intervenor, 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT. 9 a corporation, et al., NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. 12 1 am filing this document with the District Court at the following address and as 2. directed on the Notice In Lieu of Summons: 13 Chief Deputy Clerk 14 United States District Court for the District of Nevada 15 400 South Virginia Street, Suite 301 Reno, Nevada 89501 16 3. I (or the entity on whose behalf I am acting) will retain all defenses or objections 17 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 18 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 19 20 If I (or the entity on whose behalf I am acting) have retained an attorney to 21 represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, facsimile number, and e-mail address: 22 23 FILED RECEIVED ENTERED N/A Attorney: 24 SERVED ON COUNSEL/PARTIES OF RECORD 25 16 Address: 26 27 CLERK US DISTRICT COURT 28 BY: DEPUTY

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE (service), page 1 of 2

# Case 3.73 25 00127 F- RCM GC DC Under 142 of 114

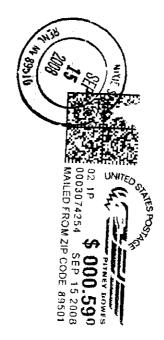
	<b>1</b>
1	Phone Number:
2	Fax Number:
3	E-mail Address:
4	
	DI FASE NOTE. Attaches are reminded that they are required to a country with a
5	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
6	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
7	hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by
8	the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
9	Nev., Electronic Pining Procedures (1ev. Aug. 24, 2000) at I.C.
10	
11	
12	0.40
13	Broth matth Canglas (Signature)
14	Pr. Matthew Countries
15	Br. Matthew Cunningham
16	(Printed or typed Name)
17	Roman Catholic Bishop of Reno, and His Successors, a
18	corporation sole
19	(Entity, if any, on whose
20	behalf you are appearing)
21	290 S. Arlington Ave., Ste. 200 Reno, NV 89501
22	(Address)
	(775) 329–9274
23	(Telephone number)
24	
25	
26	
27	
28	

# Case 3:737 v 0012 F-RCI W GC Document Filed 6/2031/08 Page 102 of 114



Re han Catholic Diggese of Reno 295 N. Anlington Ave., Suite 200 Reno, NV 89501

Chief Deputy Clerk
U..S. District Court for the District of Nevada
400 South Virginia Street, Suite 301
Reno, NV 89501



# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 103 of 114

## WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

## Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 104 of 114

# WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: <u>6///08</u>	Dinon R. Roma	
	Signature Diane R. Romano	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that	vou are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

# Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

# Case 3:73-cv-00127-RCJ-WGC Document 4 Filed 12/31/08 Page 105 of 114

## WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

D. F 28-50	Ken Romano	
Date: 5-28-08	Signature  KEN ROMANO	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that	you are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case <sup>c</sup> 3s#3-	GVOO127EREBAWG@@@cuin34ht 4ik	185/2 <del>9/2008</del>		
		ENTERED SERVED ON COUNSEL/FARTIES OF RECORD		
1		MAY o o copo		
2	IN THE UNITED STATES D	ISTRICT COURT   MAY 2 9 2008		
3	FOR THE DISTRICT O	CLERK US DISTRICT COURT		
	UNITED STATES OF AMERICA,	DISTRICT OF NEVADA  BY:DEPUTY		
4	Plaintiff,	) )		
5	WALKER RIVER PAIUTE TRIBE,	IN EQUITY NO. C-125		
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B		
7	VS.	) )		
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	) ) )		
10	NOTICE OF APPEARANCE AND INT	TENT TO PARTICIPATE		
11				
12	<ol> <li>I hereby enter my appearance in this sub</li> </ol>			
13	2. I am filing this document with the District Court at the following address:			
14	Chief Deputy Clerk United States District Court for the			
15	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501			
16	'	ny Waiver of Service of Notice in Lieu of		
17	Summons, I am mailing a copy of this document to:			
18	Susan L. Schneider			
19	Attorney for the United States of Ameri United States Department of Justice	ca		
20				
21	Littleton, Colorado 80160			
22	4. I (or the entity on whose behalf I am act	ing) will retain all defenses or objections		
23	o the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect			
24	n the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.			
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent			
26	ne in these proceedings, I identify that attorney below, along with his or her mailing address,			
27	elephone number, facsimile number, and e-mail address:			
28				
	NOTICE OF APPEARANCE AND INTENT TO PART	истрать, page 1 of 2		

# Case 3:73-13-13-100127-RCB-WG@ Detuliant 4 F18121/2/31/08 Page 3 107 of 114

1	Attorney:			
2				
3	Address:			
4				
5				
6	Phone Number:			
7	Fax Number:			
8	E-mail Address:			
9				
10	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.			
11	"A ttorneys who are admitted to the har of this court, admitted to participate in a case pro			
12	hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.			
13				
14	Electione 1 mig 1 location (1000 1 mag). 2 % 2000 / 2000			
15	Ken Romano			
16	(Signature)			
17				
18	KEN ROMANO			
19	(Printed or typed Name)			
20				
21				
22	(Entity, if any, on whose			
23	behalf you are appearing)			
24	1233 Huy 208 Yerington NV 89447			
25	(Address)			
	775-463-2474			
26	(Telephone number)			

NV 8544

なのこれようなのは

is district Court for the District of Nevada 400 So. Virginia St Suite 30. Remo NV 89501

AENO NY 会会

Case <sup>C</sup> 3:773:740001277=RCRAWG@@@@thathant 4"F1167/24/29391/0894ag63109 of 1					
	FILED RECEIVED SERVED ON COUNSELPARTIES OF RECORD				
1	a 4 2009				
2	IN THE UNITED STATES DISTRICT COURTUL 2 4 2008 FOR THE DISTRICT OF NEVADA				
3	LINUTED STATES OF AMERICA CLERK US DISTRICT COURT				
4	Plaintiff,				
5	WALKER RIVER PAIUTE TRIBE,  N EQUITY NO. C-125				
6	Plaintiff-Intervenor, SUBFILE NO. C-125-B				
7	)				
8	vs. )				
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., )				
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE				
11	1 I have been successful and a substitution of the control of the				
12	I hereby enter my appearance in this sub-proceeding in this case.  I would be a sub-proceeding in this case.				
13	2. I am filing this document with the District Court at the following address and as directed on the Notice In Lieu of Summons:				
14	Chief Deputy Clerk				
15	United States District Court for the District of Nevada				
16	400 South Virginia Street, Suite 301 Reno, Nevada 89501				
17	3. I (or the entity on whose behalf I am acting) will retain all defenses or objections				
18	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect				
19	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.				
20	4. If I (or the entity on whose behalf I am acting) have retained an attorney to				
21	represent me in these proceedings, I identify that attorney below, along with his or her mailing				
22	address, telephone number, facsimile number, and e-mail address:				
23					
24	Attorney:				
25					
26	Address:				
27					
28					
	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE (service), page 1 of 2				

# Case<sup>C</sup>3.73:73:74:4001277=RERAW GC POCCUMUNATION 4"FILE 64/2031/0899 28 63 110 of 114

1	Phone Number:			
2	Fax Number:			
3	E-mail Address:			
4				
5	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.			
6	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro			
7	hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by			
8	the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.			
9				
10				
11				
12				
13	(Signature)			
14				
15	MARY ROSASCHI			
16	(Printed or typed Name)			
17				
18				
19	(Entity, if any, on whose behalf you are appearing)			
20	$\mathcal{D}$ . $\mathcal{L}$ > $\mathcal{L}$			
21	wellington NV			
22	<u>Wellington</u> NV (Address) 99404 775-465-2044			
23	(Telephone number)			
24				
25				
26				
27				



RENC NV BUS

J 所 子本 答話所 世所 所付

1	Attorney:				
2					
3.	Address:				
4					
5					
6	Phone Number:				
7	Fax Number:				
8	E-mail Address:				
9	··				
10	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.				
11	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro				
12	hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by the				
13	Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.				
14	11	10 1 0 1			
15	<u>Koo</u>	Wals- Roally			
16	(Signate	ure)			
17 18	II	PERT H. HOWLEY			
19		l or typed Name)			
20					
21	·				
22	(Entity,	if any, on whose			
23	behalf y	ou are appearing)			
24		INGTON NV 89447			
25	(Addres				
6	<u> </u>	- 230 - 4427			
27	(Telep	hone number)			



89201+8192

Robert & Ronnie Rowley 38 Falcon Way 7 enngton NV 8947-9409